

**§ 63.10446 Do title V permitting requirements apply to area sources subject to this subpart?**

You are exempt from the obligation to obtain a permit under 40 CFR part 70 or 40 CFR part 71, provided you are not otherwise required by law to obtain a permit under 40 CFR 70.3(a) or 40 CFR 71.3(a). Notwithstanding the previous sentence, you must continue to comply with the provisions of this subpart.

**§ 63.10448 What definitions apply to this subpart?**

Terms used in this subpart are defined in the Clean Air Act (CAA), in 40 CFR 63.2, and in this section as follows:

*Aeration process* means any time when ethylene oxide is removed from the aeration unit through the aeration unit vent or from the combination sterilization unit through the sterilization unit vent, while aeration or off-gassing is occurring.

*Aeration unit* means any vessel that is used to facilitate off-gassing of ethylene oxide.

*Air pollution control device* means a catalytic oxidizer, acid-water scrubber, or any other air pollution control equipment that reduces the quantity of ethylene oxide in the effluent gas stream from sterilization and aeration processes.

*Combination sterilization unit* means any enclosed vessel in which both the sterilization process and the aeration process occur within the same vessel, i.e., the vessel is filled with ethylene oxide gas or an ethylene oxide/inert gas mixture for the purpose of sterilizing and is followed by off-gassing of ethylene oxide.

*Common aeration time* means that items require the same length of time to off-gas ethylene oxide.

*Full load* means the maximum number of items that does not impede prop-

er air removal, humidification of the load, or sterilant penetration and evacuation in the sterilization unit.

*Hospital* means a facility that provides medical care and treatment for patients who are acutely ill or chronically ill on an inpatient basis under supervision of licensed physicians and under nursing care offered 24 hours per day. Hospitals include diagnostic and major surgery facilities but exclude doctor's offices, clinics, or other facilities whose primary purpose is to provide medical services to humans or animals on an outpatient basis.

*Hospital central services staff* means a healthcare professional, including manager and technician, who is either directly involved in or responsible for sterile processing at a hospital.

*Medically necessary* means circumstances that a hospital central services staff, a hospital administrator, or a physician concludes, based on generally accepted medical practices, necessitate sterilizing without a full load in order to protect human health.

*State or local regulation* means a regulation at the State or local level that requires a hospital to reduce the quantity of ethylene oxide emissions from ethylene oxide sterilization units.

*Sterilization facility* means the group of ethylene oxide sterilization units at a hospital using ethylene oxide gas or an ethylene oxide/inert gas mixture for the purpose of sterilizing.

*Sterilization process* means any time when ethylene oxide is removed from the sterilization unit or combination sterilization unit through the sterilization unit vent.

*Sterilization unit* means any enclosed vessel that is filled with ethylene oxide gas or an ethylene oxide/inert gas mixture for the purpose of sterilizing. As used in this subpart, the term includes combination sterilization units.

TABLE 1 TO SUBPART WWWW OF PART 63—APPLICABILITY OF GENERAL PROVISIONS TO SUBPART WWWW

As required in § 63.10440, you must comply with the requirements of the General Provisions (40 CFR part 63, subpart A) shown in the following table:

Citation	Subject	Applies to subpart WWWW	Explanation
§ 63.1(a)(1)–(4), (6), (10)–(12), (b)(1), (3).	Applicability .....	Yes.	

**Pt. 63, Subpt. WWWW, Table 1**

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Citation	Subject	Applies to subpart WWWW	Explanation
§ 63.1(a)(5), (7)–(9) .....	[Reserved].		
§ 63.1(b)(2) .....	[Reserved].		
§ 63.1(c)(1)–(2) .....	Applicability of this part after a relevant standard has been set.	Yes .....	§ 63.10446 of this subpart exempts affected sources from the obligation to obtain title V operating permits for purposes of being subject to this subpart.
§ 63.1(c)(3)–(4) .....	[Reserved].		
§ 63.1(c)(5) .....	Subject to notification requirements.	No.	
§ 63.1(d) .....	[Reserved].		
§ 63.1(e) .....	Emission limitation by permit .....	Yes.	
§ 63.2 .....	Definitions .....	Yes.	
§ 63.3 .....	Units and abbreviations .....	Yes.	
§ 63.4 .....	Prohibited activities .....	Yes.	
§ 63.5 .....	Construction/reconstruction .....	No.	
§ 63.6(a), (b)(1)–(5), (7) .....	Compliance with standards and maintenance requirements.	Yes.	
§ 63.6(b)(6) .....	[Reserved].		Subpart WWWW requires compliance 1 year after the effective date.
§ 63.6(c)(1) .....	Compliance dates for existing sources.	Yes .....	
§ 63.6(c)(2), (5) .....	Compliance dates for CAA section 112(f) standards and for area sources that become major.	No.	
§ 63.6(c)(3)–(4) .....	[Reserved].		
§ 63.6(d) .....	[Reserved].		
§ 63.6(e)–(h) .....	Alternative nonopacity emission standard.	No.	
§ 63.6(i)–(j) .....	Compliance extension .....	Yes.	
§ 63.7 .....	Performance testing requirements.	No.	
§ 63.8 .....	Monitoring requirements .....	No.	
§ 63.9(a) .....	Applicability and initial notifications addressees.	Yes.	
§ 63.9(b) .....	Initial notifications .....	No.	
§ 63.9(c) .....	Request for extension of compliance.	Yes.	
§ 63.9(d)–(j) .....	Other notifications .....	No.	
§ 63.10(a)(1)–(2) .....	Recordkeeping and reporting requirements, applicability.	Yes.	
§ 63.10(a)(3)–(4) .....	General information .....	Yes.	
§ 63.10(a)(5)–(7) .....	Recordkeeping and reporting requirements, reporting schedules.	No.	
§ 63.10(b)(1) .....	Retention time .....	Yes.	
§ 63.10(b)(2)–(f) .....	Recordkeeping and reporting requirements.	No.	
§ 63.11 .....	Control device requirements .....	No.	
§ 63.12 .....	State authority and delegations	Yes.	
§§ 63.13–63.16 .....	Addresses, Incorporations by Reference, availability of information, performance track provisions.	Yes.	

**Subpart XXXXX [Reserved]**

**Subpart YYYYY—National Emission Standards for Hazardous Air Pollutants for Area Sources: Electric Arc Furnace Steelmaking Facilities**

SOURCE: 72 FR 74111, Dec. 28, 2007, unless otherwise noted.